

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

WILLIAM KAUL,
Plaintiff,

v.

COMPANION PROPERTY AND
CASUALTY INSURANCE COMPANY
AND MILES MCCREADY,
Defendants.

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CIVIL ACTION NO. 4:15-CV-02712

AGREED MOTION TO REMAND

Plaintiff and Defendants jointly file this agreed motion to remand under 28 U.S.C. §1447(c) and would respectfully show as follows:

1. Plaintiff is William Kaul; Defendants are Companion Property and Casualty Insurance Company (“CPCIC”) and Miles McCready.

2. On August 20, 2015, Plaintiff sued Defendants for breach of contract, breach of the duty of good faith and fair dealing, and violations of the Texas Insurance Code and Texas Deceptive Trade Practices Act in the County Court at Law No. 4 of Fort Bend County, Texas. CPCIC was served with process on or about August 28, 2015.

3. Defendants timely filed a Notice and Petition for Removal on September 17, 2015.

4. On October 21, 2015, Plaintiff executed an affidavit stipulating that the amount in controversy in this suit does not exceed the sum or value of \$75,000.00, exclusive of interest and costs. A true and correct copy of this affidavit is attached hereto as **EXHIBIT A** and incorporated by reference as if fully set out in this motion.

5. The parties have agreed that remand of this case back to state court is appropriate because the stipulated amount in controversy does not satisfy the jurisdictional requirement for this suit to proceed in federal court.

WHEREFORE, PREMISES CONSIDERED, Plaintiff and Defendants ask the court to grant the agreed motion to remand and remand this suit to the state court where it was originally filed.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that, on October 27, 2015, the foregoing was electronically filed with the Clerk of Court and served on Plaintiff's counsel of record listed below using the CM/ECF system, which will send notification of such filing to the following:

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